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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 9

In The Matter Of:)	
)	
WASTE DISPOSAL, INC.)	
Soil and Subsurface Gas)	
Operable Unit)	
)	
Chevron U.S.A. Inc.)	U.S. EPA
The Dia-Log Company)	
Dresser Industries, Inc.)	Docket No. 94-17
FMC Corporation)	
Mobil Oil Corporation)	
Santa Fe Energy Resources, Inc.)	
Texaco Inc.)	
Union Oil Company of California,)	
d/b/a Unocal)	
)	
Proceeding Under Section 106(a) of)	
the Comprehensive Environmental)	
Response, Compensation, and)	
Liability Act of 1980, as amended)	
(42 U.S.C. § 9606(a)))	

ADMINISTRATIVE ORDER FOR REMEDIAL DESIGN

TABLE OF CONTENTS

I. INTRODUCTION AND JURISDICTION	1
II. FINDINGS OF FACT	1
III. CONCLUSIONS OF LAW AND DETERMINATIONS	7
IV. NOTICE TO THE STATE	8
V. ORDER	8
VI. DEFINITIONS	8
VII. NOTICE OF INTENT TO COMPLY	12
VIII. PARTIES BOUND	12
IX. WORK TO BE PERFORMED	13
X. ADDITIONAL RESPONSE ACTIONS	18
XI. ENDANGERMENT AND EMERGENCY RESPONSE	19
XII. EPA REVIEW OF SUBMISSIONS	20
XIII. PROGRESS REPORTS	21
XIV. QUALITY ASSURANCE, SAMPLING AND DATA ANALYSIS	21
XV. COMPLIANCE WITH APPLICABLE LAWS	23
XVI. REMEDIAL PROJECT MANAGER	23
XVII. ACCESS TO SITE NOT OWNED BY RESPONDENTS	24
XVIII. SITE ACCESS AND DATA/DOCUMENT AVAILABILITY	26
XIX. RECORD PRESERVATION	27
XX. DELAY IN PERFORMANCE	28
XXI. ASSURANCE OF ABILITY TO COMPLETE WORK	29
XXII. REIMBURSEMENT OF RESPONSE COSTS	30
XXIII. UNITED STATES NOT LIABLE	31

TABLE OF CONTENTS (continued)

XXIV. ENFORCEMENT AND RESERVATIONS	31
XXV. ADMINISTRATIVE RECORD	33
XXVI. EFFECTIVE DATE AND COMPUTATION OF TIME	33
XXVII. OPPORTUNITY TO CONFER	33

ATTACHMENTS

Attachment 1 Waste Disposal, Inc. Soil and Subsurface Gas
Operable Unit Record of Decision

Attachment 2 Scope of Work for the Waste Disposal, Inc.
Superfund Site Soil and Subsurface Gas
Operable Unit

Attachment 3 Schedule and List of Deliverables

Attachment 4 List of documents related to EPA's finding
that certain Respondents arranged for the
disposal or treatment at the Site of
hazardous substances owned or possessed by
Respondents

1 I. INTRODUCTION AND JURISDICTION

2 1. This Order directs Respondents to perform a remedial design
3 for the remedy described in the Record of Decision for the Soil
4 and Subsurface Gas Operable Unit for the Waste Disposal, Inc.
5 Site ("Site"), dated December 27, 1993. This Order is issued to
6 Respondents by the United States Environmental Protection Agency
7 ("EPA") under the authority vested in the President of the United
8 States by section 106(a) of the Comprehensive Environmental
9 Response, Compensation, and Liability Act of 1980, as amended
10 ("CERCLA"), 42 U.S.C. § 9606(a). This authority was delegated to
11 the Administrator of EPA on January 23, 1987, by Executive Order
12 12580 (52 Fed. Reg. 2926, January 29, 1987), and was further
13 delegated to EPA Regional Administrators on September 13, 1987 by
14 EPA Delegation No. 14-14-B. This authority was further delegated
15 to the Director, Hazardous Waste Management Division, EPA Region
16 9 by Order R1290.43, dated October 26, 1988.

17 II. FINDINGS OF FACT

18 2. The Waste Disposal, Inc. (WDI) Site ("the Site" or "the WDI
19 Site") is located in the city of Santa Fe Springs, Los Angeles
20 County, California, on a 43-acre parcel of land. The facility is
21 bordered on the northwest by Santa Fe Springs Road, on the
22 northeast by Fedco Food Distribution Center and St. Paul High
23 School, on the southwest by Los Nietos Road, and on the southeast
24 by Greenleaf Avenue. The WDI Site contains a 42 million gallon
25 capacity concrete reservoir originally constructed for crude
26 petroleum storage, and subsequently used for disposing of a
27 variety of industrial wastes. The Site was used as a disposal
28 facility from approximately the late 1920's until 1964, when the
29 Site was closed and clean fill was brought in for grading the
30 Site. Various business have developed on the perimeter of the
31 Site along the roadways and are included within the Site, but the
32 reservoir area is undeveloped except for one small portion
33 covered with an asphalt parking lot used for recreational vehicle

1 storage. A map of the Site can be found in Attachment 1, Record
2 of Decision, Soil and Subsurface Gas Operable Unit, page 2-2.

3 3. (A) Respondent Santa Fe Energy Resources, Inc., is a
4 successor-in-interest to Chanslor-Canfield Midway Oil Company,
5 which from approximately November 1, 1921, until approximately
6 January 6, 1932, held title to the Site. During that time
7 hazardous substances, including some or all of those described in
8 this section, were disposed of at the Site.

9 (B) Respondent Mobil Oil Corporation is a successor-in-
10 interest to General Petroleum Corporation of California, which
11 from approximately January 6, 1932, until approximately January
12 22, 1942, held title to the Site. During that time hazardous
13 substances, including some or all of those described in this
14 section, were disposed of at the Site.

15 (C) Respondent Dia-Log Company is a successor-in-interest
16 to the Ford Alexander Corporation, which from approximately
17 January 22, 1942, until approximately September 23, 1947, held
18 title to the Site. During that time hazardous substances,
19 including some or all of those described in this section, were
20 disposed of at the Site. Respondent Dia-Log Company also
21 currently holds title to one portion of the Site.

22 (D) Respondent Chevron U.S.A. Inc., is a successor-in-
23 interest to Standard Oil Company of California. Respondent
24 Dresser Industries, Inc., is a successor-in-interest to Security
25 Engineering Co., Inc. FMC Corporation is a successor-in-interest
26 to the Chiksan Tool Co. Respondent Texaco Inc., is a successor-
27 in-interest to the Texas Company.

28 (E) Respondents Mobil Oil Corporation (through its
29 predecessor-in-interest General Petroleum Corporation of
30 California), Chevron U.S.A. Inc. (through its predecessor-in-
31 interest Standard Oil Company of California), Texaco Inc.
32 (through its predecessor-in-interest the Texas Company), Santa Fe
33 Energy Resources, Inc. (through its predecessor-in-interest
34 Chanslor-Canfield Midway Oil Company), Dresser Industries, Inc.

(through its predecessor-in-interest Security Engineering Co., Inc.), and FMC Corporation (through its predecessor-in-interest the Chiksan Tool Co.), and Union Oil Company of California arranged, by contract or agreement or otherwise, for the disposal or treatment at the Site of hazardous substances owned or possessed by Respondents. Hazardous substances of the same kind as those owned or possessed by Respondents are present at the Site.

4. The respondents identified in paragraph 3 are collectively referred to as "Respondents."

5. On July 22, 1987, (52 Fed. Reg. 27620-23), pursuant to section 105 of CERCLA, 42 U.S.C. § 9605, EPA placed the WDI Site on the National Priorities List, set forth in 40 C.F.R. Part 300, Appendix B.

6. To study and undertake response activities in phases, EPA divided the Site into operable units. The operable units for the Site are (1) Soil and Subsurface Gas, and (2) Groundwater. This Order addresses the remedial design for the Soil and Subsurface Gas operable unit.

7. From approximately September 1987 to July 1993, EPA undertook a Remedial Investigation and Feasibility Study ("RI/FS") for the Site pursuant to CERCLA and the National Contingency Plan, 40 C.F.R. Part 300. The media characterization reports for the Site were completed in May of 1989, with the final RI report completed in November 1989. The FS for the Soils and Subsurface Gas operable unit was completed August 2, 1993.

8. Pursuant to section 117 of CERCLA, 42 U.S.C. § 9617, EPA published notice of the completion of the FS for Soils and Subsurface Gas and of the proposed plan for remedial action on August 12, 1993, and provided an opportunity for public comment

1 on the proposed remedial action. A public meeting was held on
2 September 1, 1993 to present the options evaluated in the
3 Feasibility Study and EPA's preferred alternative. EPA also
4 presented its proposed plan and preferred alternative to the
5 Santa Fe Springs City Council on August 26, 1993, and conducted
6 an informational meeting for the parents of St. Paul High School
7 students on September 9, 1993.

8 9. The decision by EPA on the remedial action to be implemented
9 for the WDI Site Soil and Subsurface Gas operable unit is
10 embodied in a final Record of Decision ("ROD"), executed on
11 December 27, 1993, on which the State of California had a
12 reasonable opportunity to review and comment. The ROD is
13 attached to this Order as Attachment 1 and is incorporated by
14 reference. The ROD is supported by an administrative record that
15 contains the documents and information upon which EPA based the
16 selection of the response action.

17 10. Substances found in the surface and subsurface soil at the
18 Site include, but are not limited to, arsenic, lead, thallium,
19 beryllium, chromium, chromium, benzo(a)pyrene, benzene, DDT,
20 polycyclic aromatic hydrocarbons (PAHs), vinyl chloride, and
21 polychlorinated biphenyls (PCBs). Arsenic and vinyl chloride are
22 known human carcinogens, and chromium and several of the detected
23 PAHs are probable human carcinogens. These substances are
24 co-mingled at the Site in disposal sumps, the concrete reservoir,
25 and in the soils throughout the Site. Most of the contaminated
26 soil lies below ground surface, but some surface soil
27 contamination has been identified. Vinyl chloride, as well as
28 methane and other volatiles, have been identified in the
29 subsurface gas.

30 11. Based on the Remedial Investigation, hazardous substances
31 have been identified at the Site that may pose a threat to human
32 health if not addressed by implementing the response action in

1 the ROD. Data from soil, groundwater, and soil gas sampling were
2 incorporated into the various media characterization reports and
3 are included in the ROD and the Administrative Record.

4 12. In March 1988, EPA undertook a removal action, erecting a
5 fence around the southern corner of the Site (at Los Nietos Road
6 and Greenleaf Avenue) to increase Site security and prevent
7 accidental exposure to surface contamination.

8 13. (A) The contamination present on-site at the WDI Site
9 exists in the soil and groundwater matrices, and in the form of
10 subsurface gases. A large portion of the Site currently has a
11 layer of fill covering the contaminated material, with vegetation
12 growing on the cover. The remaining parcels contain operating
13 businesses, most with paved facilities.

14 (B) The Final Endangerment Assessment of November 1989
15 identified the present and future pathways and possible or known
16 routes of exposure of contamination to humans. Under current
17 Site conditions, possible exposure pathways consist of direct
18 contact with contaminated surface soils and inhalation of
19 airborne particulates and volatiles by students and nearby
20 residents. Under future use scenarios, the possibility of
21 construction and residential activity could expose contaminated
22 subsurface material to the surface, where direct contact and
23 inhalation of hazardous substances would then be possible.

24 (C) There is also potential for rainwater to flush
25 contaminants from the soil into the groundwater beneath the Site.
26 The contaminants could then migrate through the aquifers and into
27 the drinking water supply.

28 14. The Site is located next to St. Paul High School, and is
29 surrounded by light industrial facilities. Residences are
30 located approximately 50 yards from the Site, across Greenleaf
31 Avenue. The portion of the Site where the reservoir is located
32 is vacant, except for a small corner of a parking lot used for

1 recreational vehicle storage. The remainder of the reservoir-
2 containing parcel is covered with vegetation. Future development
3 of the Site should be limited due to the underlying soil
4 contamination. Subsurface gases generated by the decomposition
5 of products in the soil may rise to the surface, and could enter
6 buildings through cracks in the foundations. Any development of
7 the parcels of the Site could lead to exposure of contaminated
8 soil due to the excavation required for building foundations. If
9 no action is taken at the Site, contamination may also migrate
10 into the groundwater aquifer used for drinking water.

11 15. The December 27, 1993 ROD for the Soil and Subsurface Gas
12 operable unit requires that an impermeable multi-layered cap be
13 constructed over the reservoir area of the Site. It is
14 anticipated that the final configuration of the cap will include
15 a recreational-use area. The ROD also requires that a gas
16 venting system be included in the cap design, and that a flaring
17 treatment system be constructed, if determined during the
18 remedial design to be necessary. In addition, limited excavation
19 of the remaining undeveloped parcels of the Site will be
20 performed, with the excavated soils to be consolidated under the
21 constructed cap. The excavated parcels might then be available
22 for development. The remaining parcels where underlying
23 contaminated soils exist are required to have restrictions and
24 notices recorded in the appropriate land records office,
25 identifying the extent of contamination and the precautions that
26 must be taken should any construction be undertaken on the
27 parcels. Groundwater monitoring is required in order to
28 determine the effectiveness of the cap and ensure that the remedy
29 is protective of groundwater. For more detailed information
30 regarding the selected remedy, refer to Attachment 1 of this
31 Order.

32 16. The purpose of the impermeable cap is to prevent direct
33 contact with the underlying contaminated soil, and prevent

1 rainwater from permeating the contaminated soil and flushing
2 contaminants into the groundwater. The gas venting and treatment
3 system will remove decomposition gases from beneath the cap,
4 helping to maintain cap integrity by reducing pressure. It will
5 also treat hazardous substances in the subsurface soil gas, if
6 necessary, to reduce the potential risk to human health and the
7 impact to the environment. The deed restrictions will be placed
8 on properties where underlying contaminated soils are not
9 excavated to provide information on the extent of contamination
10 and prevent accidental exposure to hazardous substances within
11 the soil during construction activities.

12 III. CONCLUSIONS OF LAW AND DETERMINATIONS

13 17. The Waste Disposal, Inc. Site is a "facility" as defined in
14 section 101(9) of CERCLA, 42 U.S.C. § 9601(9).

15 18. Respondents are "persons" as defined in section 101(21) of
16 CERCLA, 42 U.S.C. § 9601(21).

17 19. Respondents are liable persons as defined in section 107(a)
18 of CERCLA, 42 U.S.C. § 9607(a), and are subject to this Order
19 under section 106(a) of CERCLA, 42 U.S.C. § 9606(a).

20 20. The substances listed in paragraph 10 are found at the Site
21 and are "hazardous substances" as defined in section 101(14) of
22 CERCLA, 42 U.S.C. § 9601(14).

23 21. These hazardous substances have been disposed at the Site,
24 and have migrated or threaten to migrate from the Site into the
25 soil, groundwater, and air.

26 22. The past disposal of hazardous substances at and migration
27 of hazardous substances from the Site are a "release" as defined
28 in section 101(22) of CERCLA, 42 U.S.C. § 9601(22).

1 23. The potential for future migration of hazardous substances
2 from and within the Site poses a threat of a "release" as defined
3 in section 101(22) of CERCLA, 42 U.S.C. §9601(22).

4 24. The release or threat of release of one or more hazardous
5 substances from the facility may present an imminent and
6 substantial endangerment to the public health or welfare or the
7 environment.

8 25. The contamination and endangerment at this Site constitute
9 an indivisible injury. The actions required by this Order are
10 necessary to protect the public health, welfare, and the
11 environment.

12 IV. NOTICE TO THE STATE

13 26. On August 3, 1994, prior to issuing this Order, EPA notified
14 the State of California Department of Toxic Substances Control
15 that EPA would be issuing this Order.

16 V. ORDER

17 27. Based on the foregoing, Respondents are hereby ordered,
18 jointly and severally, to comply with the following provisions of
19 this Order, including but not limited to all attachments to this
20 Order, all documents incorporated by reference into this Order,
21 and all schedules and deadlines in this Order:

22 VI. DEFINITIONS

23 28. Unless otherwise expressly provided herein, terms used in
24 this Order which are defined in CERCLA or in regulations
25 promulgated under CERCLA shall have the meaning assigned to them
26 in the statute or its implementing regulations. Whenever terms
27 listed below are used in this Order or in the documents attached
28 to this Order or incorporated by reference into this Order, the
29 following definitions shall apply:

1 a. "CERCLA" shall mean the Comprehensive Environmental
2 Response, Compensation, and Liability Act of 1980, as amended, 42
3 U.S.C. §§ 9601 et seq.

4 b. "DTSC" shall mean the California Department of Toxic
5 Substances Control.

6 c. "Contractor" shall mean the individual, company, or
7 companies retained by or on behalf of Respondents, or by each
8 Respondent, to undertake and complete the Work.

9 d. "Day" shall mean a calendar day unless expressly stated
10 to be a working day. "Working day" shall mean a day other than a
11 Saturday, Sunday, or Federal holiday. In computing any period of
12 time under this Order, where the last day would fall on a
13 Saturday, Sunday, or Federal holiday, the period shall run until
14 the end of the next working day.

15 e. "Deliverables" shall mean documents, letters, data,
16 plans, reports, and other items submitted to EPA and DTSC for
17 review, comment, or approval in accordance with this Order.
18 Deliverables will be identified in this Order, and in the
19 attached Scope of Work, as RD-x, where x is the number of the
20 deliverable identified in this Order. Deliverables should be
21 identified by number, as well as title, when submitted.

22 f. "EPA" shall mean the United States Environmental
23 Protection Agency.

24 g. "National Contingency Plan" or "NCP" shall mean the
25 National Oil and Hazardous Substances Pollution Contingency Plan
26 promulgated pursuant to Section 105 of CERCLA, 42 U.S.C. § 9605,
27 codified at 40 C.F.R. Part 300, including any amendments thereto.

1 h. "Operation and Maintenance" or "O&M" shall mean all
2 activities required for long term operation, maintenance, and
3 monitoring activities after all elements of the operable unit
4 have been constructed or otherwise put in place.

5 i. "Paragraph" shall mean a portion of this Order
6 identified by an arabic numeral.

7 j. "Performance Standards" shall mean those cleanup
8 standards, standards of control, and other substantive
9 requirements, criteria or limitations, identified in the Record
10 of Decision and Scope of Work, that the Remedial Action and Work
11 required by this Order must attain and maintain.

12 k. "Record of Decision" or "ROD" shall mean the EPA Record
13 of Decision relating to the Waste Disposal, Inc. Site, Soil and
14 Subsurface Gas operable unit, signed on December 27, 1993 by the
15 Regional Administrator, EPA Region 9, and all attachments
16 thereto.

17 l. "Remedial Action" or "RA" shall mean those activities,
18 except for Operation and Maintenance, necessary to implement the
19 final plans and specifications submitted by Respondents pursuant
20 to the Remedial Design Work Plan approved by EPA.

21 m. "Remedial Design" or "RD" shall mean those activities to
22 be undertaken by Respondents to develop the final plans and
23 specifications for the Remedial Action pursuant to the Remedial
24 Design Work Plan.

25 n. "Response Costs" shall mean all costs, including direct
26 costs, indirect costs, and accrued interest incurred by the
27 United States to perform or support response actions at the Site.
28 Response costs include but are not limited to the costs of
29 overseeing the Work, such as the costs of reviewing or developing

1 plans, reports and other items pursuant to this Order and costs
2 associated with verifying the Work.

3 o. "Scope of Work" or "SOW" shall mean the scope of work
4 for implementation of the Remedial Design at the Site, as set
5 forth in Attachment 2 to this Order. The Scope of Work is
6 incorporated into this Order and is an enforceable part of this
7 Order.

8 p. "Section" shall mean a portion of this Order identified
9 by a roman numeral and includes one or more paragraphs.

10 q. "Site" or "WDI Site" shall mean the Waste Disposal, Inc.
11 Superfund Site, encompassing approximately 48 acres, located in
12 the city of Santa Fe Springs, Los Angeles County, California, as
13 described in the Record of Decision. The Site is bordered on the
14 northwest by Santa Fe Springs Road, on the northeast by Fedco
15 Food Distribution Center and St. Paul High School, on the
16 southwest by Los Nietos Road, and on the southeast by Greenleaf
17 Avenue.

18 r. "State" shall mean the State of California.

19 s. "United States" shall mean the United States of America.

20 t. "Work" shall mean all activities Respondents are
21 required to perform under this Order, including but not limited
22 to Remedial Design for the Soil and Subsurface Gas operable unit,
23 and any activities required to be undertaken pursuant to Sections
24 VII through XXII, and XXV of this Order.

1 VII. NOTICE OF INTENT TO COMPLY

2 29. Respondents shall provide, not later than five (5) days
3 after the effective date of this Order, written notice
4 (**Deliverable RD-1**) to EPA's Remedial Project Manager (RPM)
5 stating whether they will comply with the terms of this Order.
6 If Respondents do not unequivocally commit to perform the RD as
7 provided by this Order, they shall be deemed to have violated
8 this Order and to have failed or refused to comply with this
9 Order. Respondents' written notice shall describe, using facts
10 that exist on or prior to the effective date of this Order, any
11 "sufficient cause" defenses asserted by Respondents under
12 sections 106(b) and 107(c)(3) of CERCLA. The absence of a
13 response by EPA to the notice required by this paragraph shall
14 not be deemed to be acceptance of Respondent's assertions.

15 VIII. PARTIES BOUND

16 30. This Order shall apply to and be binding upon each
17 Respondent identified in paragraph 3, its directors, officers,
18 employees, agents, successors, and assigns. Respondents are
19 jointly and severally responsible for carrying out all activities
20 required by this Order. Each Respondent shall communicate and
21 cooperate with the other Respondents. No change in the
22 ownership, corporate status, or other control of any Respondents
23 shall alter any of the Respondents' responsibilities under this
24 Order.

25 31. Respondents shall make best efforts to coordinate in the
26 performance of the Work required by this Order with any person
27 not a Respondent to this Order who offers to perform or, in lieu
28 of performance, to pay for, in whole or in part, the Work
29 required by this Order. Best efforts to coordinate shall
30 include, at a minimum:

- 31 (a) Replying in writing within a reasonable period of time
32 to an offer to perform or pay for, in whole or in part, the
33 Work required by this Order;

1 (b) Engaging in good-faith negotiations with any person
2 not a Respondent to this Order who offers to perform or to
3 pay for, in whole or in part, the Work required by this
4 Order; and

5 (c) Good-faith consideration of a good-faith offer to
6 perform or pay for, in whole or in part, the Work required
7 by this Order.

8 32. Respondents shall provide a copy of this Order to any
9 prospective owners or successors before a controlling interest in
10 Respondent's assets, property rights, or stock are transferred to
11 the prospective owner or successor. Respondents shall provide a
12 copy of this Order to each contractor, sub-contractor,
13 laboratory, or consultant retained to perform any Work under this
14 Order, within five days after the effective date of this Order or
15 on the date such services are retained, whichever date occurs
16 later. Respondents shall also provide a copy of this Order to
17 each person representing any Respondents with respect to the Site
18 or the Work and shall condition all contracts and subcontracts
19 entered into hereunder upon performance of the Work in conformity
20 with the terms of this Order. With regard to the activities
21 undertaken pursuant to this Order, each contractor and
22 subcontractor shall be deemed to be related by contract to the
23 Respondents within the meaning of section 107(b)(3) of CERCLA, 42
24 U.S.C. § 9607(b)(3). Notwithstanding the terms of any contract,
25 Respondents are responsible for compliance with this Order and
26 for ensuring that their contractors, subcontractors and agents
27 comply with this Order, and perform any Work in accordance with
28 this Order.

29 IX. WORK TO BE PERFORMED

30 33. Respondents shall cooperate with EPA in providing
31 information regarding the Work to the public. As requested by
32 EPA, and in accordance with the SOW, Respondents shall
33 participate in the preparation of such information for

1 distribution to the public and presentation of information in
2 public meetings which may be held or sponsored by EPA to explain
3 activities at or relating to the Site. Because of the
4 interactive nature of the design process that EPA has committed
5 to, comments and concerns will be solicited during any public
6 meetings. These comments and concerns will be considered during,
7 and incorporated into, the design of the remedy to the extent
8 possible.

9 34. All aspects of the Work to be performed by Respondents
10 pursuant to this Order shall be performed by qualified employees
11 or contractors of Respondents under the direction and supervision
12 of a qualified project coordinator ("Project Coordinator"). The
13 selection of the remedial design contractor ("design contractor")
14 shall be subject to approval by EPA. Within fifteen (15) days
15 after the effective date of this Order, Respondents shall notify
16 EPA and DTSC in writing of the name (RD-2) and qualifications
17 (RD-3) of the design contractor, including primary design
18 personnel (if known), support entities and staff, and the names
19 of the principal subcontractors (including laboratories) proposed
20 to be used in carrying out Work under this Order. Respondents
21 must ensure that all portions of the Work shall be performed (not
22 merely reviewed) by personnel qualified to perform those portions
23 of the Work for which they are assigned. Respondents' selected
24 contractor(s) shall have expertise in, at a minimum, design and
25 implementation of remedial actions involving hazardous waste
26 final covers, including landfill gas removal and treatment.

27 35. EPA and DTSC will review Respondents' selection of a design
28 contractor according to the terms of this paragraph and Section
29 XII of this Order. If EPA disapproves of the selection of the
30 design contractor, Respondents shall submit to EPA and DTSC,
31 within 30 days after receipt of EPA's disapproval of the design
32 contractor previously selected, a list of contractors, including
33 primary support entities and staff, that would be acceptable to

1 Respondents. EPA will thereafter provide written notice to
2 Respondents of the names of the contractor firms that are
3 acceptable to EPA. Respondents may then select any approved
4 design contractor firm from that list and shall notify EPA and
5 DTSC of the name of the design contractor selected within twenty-
6 one (21) days of EPA's designation of approved design
7 contractors. If at any time Respondents propose to use a
8 different design contractor, Respondents shall notify EPA and
9 DTSC of the proposed change and shall obtain approval from EPA
10 before the new design contractor performs any Work under this
11 Order.

12 36. Within fifteen (15) days after the effective date of this
13 Order, Respondents shall designate a Project Coordinator and
14 shall submit the name, address, and telephone number of the
15 Project Coordinator to EPA for review and approval (RD-4).
16 Respondents' Project Coordinator shall be responsible for
17 overseeing Respondents' implementation of this Order and acting
18 as the principal point of contact between EPA and Respondents.
19 If Respondents wish to change the Project Coordinator,
20 Respondents shall provide written notice to EPA and DTSC, five
21 (5) days prior to changing the Project Coordinator, of the name
22 and qualifications of the new Project Coordinator. Respondents'
23 selection of a Project Coordinator shall be subject to EPA
24 approval.

25 37. Within thirty (30) days after EPA's approval of Respondents'
26 selection of a design contractor, Respondents shall submit a
27 draft work plan for the Remedial Design at the Site ("Remedial
28 Design Work Plan" or "RD Work Plan") (RD-5) to EPA and DTSC for
29 review and comment, and for approval by EPA. The RD Work Plan
30 shall include a step-by-step plan for completing the remedial
31 design for the remedy described in the ROD and for attaining and
32 maintaining all requirements, including Performance Standards
33 identified in the ROD and in the attached SOW, and "applicable or

relevant and appropriate requirements" ("ARARs") as defined in 40 CFR Part 300.5 and identified in the ROD. The RD Work Plan must describe in detail the tasks and deliverables Respondents will complete during the remedial design phase, and a schedule for completing the tasks and deliverables in the RD Work Plan. The major tasks and deliverables described in the RD Work Plan shall include, but not be limited to, the following: (1) a preliminary design (RD-16); (2) an intermediate design (RD-17); (3) a pre-final design (RD-18); (4) a final design (RD-19); (5) a design Sampling and Analysis Plan (SAP) (RD-6); (6) a Contingency Plan (RD-7); (7) a Construction Quality Assurance Plan (CQAP) (RD-8); (8) a Treatability Study work plan (RD-9); (9) a Data Acquisition and Management Plan (RD-10); and (10) any other appropriate components for completing the design (RD-12 through RD-15 reserved for future deliverables to be identified at a later date). Respondents shall also, within thirty (30) days after EPA's approval of Respondents' selection of a design contractor, prepare and submit to EPA and DTSC for review, a Site Health and Safety Plan (RD-11) for field design activities. The Site Health and Safety Plan shall conform to the applicable Occupational Safety and Health Administration and EPA requirements.

38. The RD Work Plan shall be consistent with, and shall provide for implementing the Scope of Work, and shall comport with EPA's "Superfund Remedial Design and Remedial Action Guidance, OSWER Directive 9355.0-4A" (June 1986). Upon approval by EPA, the RD Work Plan is incorporated into this Order as a requirement of this Order and shall be an enforceable part of this Order.

39. Upon approval of the RD Work Plan by EPA, Respondents shall implement the RD Work Plan according to the schedule in the approved RD Work Plan. Any violation of the approved RD Work Plan shall be a violation of this Order. Unless otherwise directed by EPA, Respondents shall not perform further Work at the Site prior to EPA's written approval of the RD Work Plan.

1 40. Based on the schedule presented in the EPA-approved RD Work
2 Plan, Respondents shall submit a Preliminary Design (RD-16) to
3 EPA and DTSC for review and comment. The Preliminary Design
4 submittal shall, at a minimum, incorporate all elements of the
5 Preliminary Design described in the SOW.

6 41. Based on the schedule presented in the EPA-approved RD Work
7 Plan, Respondents shall submit an Intermediate Design (RD-17) to
8 EPA and DTSC for review and comment. The Intermediate Design
9 submittal shall continue and expand on the contents of the
10 Preliminary Design as set forth in the SOW, and incorporate EPA
11 comments to the Preliminary Design.

12 42. Based on the schedule presented in the EPA-approved RD Work
13 Plan, Respondents shall submit a Prefinal Design (RD-18) to EPA
14 and DTSC for review and comment. The Prefinal Design shall
15 address comments generated from the Intermediate Design, and
16 shall include all elements identified in the SOW.

17 43. Based on the schedule presented in the EPA-approved RD Work
18 Plan, Respondents shall submit a Final Design (RD-19) to EPA and
19 DTSC for review and comment, and for approval by EPA. The Final
20 Design submittal shall include, at a minimum, the elements
21 identified in the SOW, and shall incorporate comments generated
22 from the Prefinal Design review.

23 44. Within thirty (30) days after Respondents conclude that all
24 phases of the Work required by this Order have been fully
25 performed, Respondents shall submit to EPA and DTSC a written
26 certification by a registered professional engineer stating that
27 the Work has been completed in full satisfaction of the
28 requirements of this Order. EPA may require such additional
29 activities as it determines to be necessary to complete the Work
30 (including any activities deemed necessary to assess whether the
31 Work has been completed) or EPA may, based upon present knowledge

1 and Respondents' certification to EPA, issue written notification
2 to Respondents that the Work required by this Order has been
3 completed. EPA's notification shall not limit EPA's right to
4 take or require any action that in the judgment of EPA is
5 appropriate at the Site, in accordance with 42 U.S.C. §§9604,
6 9606, or 9607.

7 X. ADDITIONAL RESPONSE ACTIONS

8 45. EPA may determine that in addition to the Work identified in
9 this Order and attachments to this Order, additional response
10 activities may be necessary to protect human health and the
11 environment. If EPA determines that additional response
12 activities are necessary, EPA may require Respondents to submit a
13 work plan for additional response activities. EPA may also
14 require Respondents to modify any plan, design, or other
15 deliverable required by this Order, including any approved
16 modifications.

17 46. Not later than thirty (30) days after receiving EPA's notice
18 that additional response activities are required pursuant to this
19 Section, Respondents shall submit a work plan for the response
20 activities to EPA and DTSC for review and comment, and for
21 approval by EPA. Upon approval by EPA, the work plan is
22 incorporated into this Order as a requirement of this Order and
23 shall be an enforceable part of this Order. Upon approval of the
24 work plan by EPA, Respondents shall implement the work plan
25 according to the standards, specifications, and schedule in the
26 approved work plan. Respondents shall notify EPA and DTSC of
27 their intent to perform such additional response activities
28 within seven (7) days after receipt of EPA's request for
29 additional response activities.

30 XI. ENDANGERMENT AND EMERGENCY RESPONSE

31 47. In the event of any action or occurrence during the
32 performance of the Work which causes or threatens to cause a

1 release of a hazardous substance or which may present an
2 immediate threat to public health or welfare or the environment,
3 Respondents shall immediately take all appropriate action to
4 prevent, abate, or minimize the threat, and shall immediately
5 notify EPA's Remedial Project Manager (RPM) or, if the RPM is
6 unavailable, Respondents shall notify the EPA Emergency Response
7 Unit, Region 9, at (415) 744-2000. Respondents shall take such
8 action in consultation with EPA's RPM and in accordance with all
9 applicable provisions of this Order, including but not limited to
10 the Health and Safety Plan and the Contingency Plan. In the
11 event that Respondents fails to take appropriate response action
12 as required by this Section, and EPA takes that action instead,
13 Respondents shall reimburse EPA for all costs of the response
14 action not inconsistent with the NCP. Respondents shall pay the
15 response costs in the manner described in Section XXII of this
16 Order, within thirty (30) days of Respondents' receipt of demand
17 for payment and a certified EPA financial cost summary of the
18 costs incurred.

19 48. Nothing in the preceding paragraph shall be deemed to limit
20 any authority of the United States or the State to take, direct,
21 or order all appropriate action to protect human health and the
22 environment or to prevent, abate, or minimize an actual or
23 threatened release of hazardous substances on, at, or from the
24 Site.

25 XII. EPA REVIEW OF SUBMISSIONS

26 49. All deliverables shall be submitted to EPA and DTSC
27 concurrently. EPA will, to the extent feasible, incorporate
28 DTSC's comments, if any, into EPA's comments on the deliverable.
29 After review of any deliverable, plan, report or other item which
30 is required to be submitted for review and approval pursuant to
31 this Order, EPA may: (a) approve the submission; (b) approve the
32 submission with modifications; (c) disapprove the submission and
33 direct Respondents to re-submit the document after incorporating

1 EPA's comments; or (d) disapprove the submission and assume
2 responsibility for performing all or any part of the response
3 action. As used in this Order, the terms "approval by EPA," "EPA
4 approval," or a similar term means the action described in items
5 (a) or (b) of this paragraph.

6 50. In the event of approval or approval with modifications by
7 EPA, Respondents shall proceed to take any action required by the
8 plan, report, or other item, as approved or modified by EPA. For
9 documents that are approved with modifications and are part of an
10 iterative process (for example, an intermediate design document
11 that is scheduled for update in the prefinal design), the
12 modification is expected to be included in the next iteration,
13 and should not be resubmitted to EPA, unless otherwise directed
14 by EPA in its notification.

15 51. Upon receipt of a notice of disapproval, Respondents shall,
16 within ten (10) days or such longer time as specified by EPA in
17 its notice of disapproval, correct the deficiencies and resubmit
18 the plan, report, or other deliverable for approval.
19 Notwithstanding the notice of disapproval, Respondents shall
20 proceed, at the direction of EPA, to take any action required by
21 any non-deficient portion of the submission.

22 52. Submission of a deficient plan, report, or other deliverable
23 or failure to submit a plan, report, or other deliverable shall
24 be considered a violation of this Order. An approval by EPA
25 pursuant to paragraph 49 above of an initially disapproved
26 submission shall cure the applicable violation.

27 XIII. PROGRESS REPORTS

28 53. In addition to the other deliverables set forth in this
29 Order, Respondents shall provide progress reports to EPA and DTSC
30 twice monthly with respect to actions and activities undertaken
31 pursuant to this Order. The progress reports shall be submitted

1 on or before the first (1st) day of each month and again on or
2 before the fifteenth (15th) day of each month following the
3 effective date of this Order. Progress reports shall be
4 submitted electronically to the EPA and DTSC Project Managers to
5 the extent feasible. The electronic address for the EPA Project
6 Manager is "harris-bishop.rusty@epamail.epa.gov". The electronic
7 address for the DTSC Project Manager will be provided at a later
8 date. Respondents' obligation to submit progress reports
9 continues until EPA gives Respondents written notice to
10 discontinue progress reports, or report on a less frequent basis.
11 At a minimum these progress reports shall: (1) describe the
12 actions which have been taken to comply with this Order during
13 the prior two-week period; (2) include all results of sampling
14 and tests and all other data received by Respondents and not
15 previously submitted to EPA; (3) describe all work planned for
16 the next two weeks with schedules relating such work to the
17 overall project schedule for RD completion; and (4) describe all
18 problems encountered and any anticipated problems, any actual or
19 anticipated delays, and solutions developed and implemented to
20 address any actual or anticipated problems or delays.

21 XIV. QUALITY ASSURANCE, SAMPLING AND DATA ANALYSIS

22 54. Respondents shall use the quality assurance, quality
23 control, and chain of custody procedures described in the "EPA
24 NEIC Policies and Procedures Manual," May 1978, revised August
25 1991; EPA-330/9-78-001-R, EPA's "Guidelines and Specifications
26 for Preparing Quality Assurance Program Plans" (EPA 600/8-83-024,
27 1983), EPA's "Data Quality Objective Process for Superfund" (EPA
28 540-R-93-071), "Guidance for Planning for Data Collection in
29 Support of Environmental Decision Making Using the Data Quality
30 Objectives Process" (EPA QA/G-4, Interim Final, October 6, 1993),
31 "US EPA Region 9 Guidance for Preparing Quality Assurance Project
32 Plans for Superfund Remedial Projects" (9QA-03-89, September
33 1989), "EPA Requirements for Quality Management Plans" (EPA QA/R-
34 2, Interim Final, May 1994), "EPA Requirements for Quality

1 Assurance Project Plans for Environmental Data Operations" (EPA
2 QA/R-5, Interim Final, May 1994), and any amendments to these
3 documents, while conducting all sample collection and analysis
4 activities required herein by any plan. To provide quality
5 assurance and maintain quality control, Respondents shall:

6 a. Use only laboratories which have a documented Quality
7 Assurance Program that complies with EPA guidance
8 document QAMS-005/80.

9 b. Ensure that the laboratory used by the Respondents for
10 analyses performs according to a method or methods
11 deemed satisfactory to EPA and submits all protocols to
12 be used for analyses to EPA at least 45 days before
13 beginning analysis.

14 c. Ensure that EPA personnel and EPA's authorized
15 representatives are allowed access to the laboratory
16 and personnel utilized by the Respondents for analyses.

17 55. Respondents shall notify EPA and DTSC not less than fourteen
18 (14) days in advance of any sample collection activity. At the
19 request of EPA or DTSC, Respondents shall allow split or
20 duplicate samples to be taken by EPA, DTSC, or their authorized
21 representatives, of any samples collected by Respondents with
22 regard to the Site or pursuant to the implementation of this
23 Order. In addition, EPA and DTSC shall have the right to take
24 any additional samples that EPA and DTSC deems necessary.

25 XV. COMPLIANCE WITH APPLICABLE LAWS

26 56. All activities by Respondents pursuant to this Order shall
27 be performed in accordance with the requirements of all Federal
28 and state laws and regulations. EPA has determined that the
29 activities contemplated by this Order are consistent with the
30 National Contingency Plan (NCP).

31 57. Except as provided in section 121(e) of CERCLA and the NCP,
32 no permit shall be required for any portion of the Work conducted
33 entirely on-Site. Where any portion of the Work requires a
34 Federal or state permit or approval, Respondents shall submit

1 timely applications and take all other actions necessary to
2 obtain and to comply with all such permits or approvals.

3 58. This Order is not, and shall not be construed to be, a
4 permit issued pursuant to any Federal or state statute or
5 regulation.

6 59. Nothing in this Order shall be deemed to constitute a
7 preauthorization of a CERCLA claim within the meaning of Sections
8 111 or 112 or CERCLA, 42 USC. Section 9611 or 9612, or 40 CFR
9 Section 300.25(d).

10 XVI. REMEDIAL PROJECT MANAGER

11 60. (A) All communications, whether written or oral, from
12 Respondents to EPA shall be directed to EPA's Remedial Project
13 Manager. Respondents shall submit to EPA two copies of all
14 documents, including plans, reports, and other correspondence,
15 which are developed pursuant to this Order, and shall send these
16 documents by overnight mail or by certified mail, return receipt
17 requested. Respondents shall also submit one copy of each
18 deliverable to DTSC in the same manner as the deliverable is sent
19 to EPA. All communications, whether written or oral, from
20 Respondents to DTSC shall be directed to DTSC's Project Manager.
21 Deliverables shall be submitted in accordance with the SOW.

22 EPA's Remedial Project Manager is:

23 Rusty Harris-Bishop
24 US EPA Region 9
25 75 Hawthorne Street (H-7-2)
26 San Francisco, CA 94105
27 (415) 744-2365
28

29 DTSC's Project Manager is:

30 Shahir Haddad
31 Cal-EPA Department of Toxic Substances Control
32 Site Mitigation Branch
33 1011 N. Grandview Avenue
34 Glendale, CA 91201

1 (B) One copy of each deliverable shall also be sent to the
2 designated EPA oversight contractor, to be named at a later date.

3 61. EPA and DTSC have the unreviewable right to change their
4 respective Project Managers. If EPA or DTSC changes its Project
5 Manager, EPA or DTSC will inform Respondents in writing of the
6 name, address, and telephone number of the new Project Manager.

7 62. EPA's Remedial Project Manager shall have the authority
8 lawfully vested in a Remedial Project Manager (RPM) and On-Scene
9 Coordinator (OSC) by the National Contingency Plan, 40 C.F.R.
10 Part 300. EPA's RPM shall have authority, consistent with the
11 National Contingency Plan, to halt any work required by this
12 Order, and to take any necessary response action.

13 XVII. ACCESS TO SITE NOT OWNED BY RESPONDENTS

14 63. If the Site, any off-site area that is to be used for
15 access, property where documents required to be prepared or
16 maintained by this Order are located, or other property subject
17 to or affected by the clean up, is owned in whole or in part by
18 parties other than those bound by this Order, Respondents will
19 obtain, or use their best efforts to obtain, Site access
20 agreements or approvals from the present owners within sixty (60)
21 days of the effective date of this Order. Such agreements or
22 approvals shall provide access for EPA, its contractors and
23 oversight officials, DTSC and its contractors, and Respondents or
24 Respondents' authorized representatives and contractors, and such
25 agreements shall specify that Respondents are not EPA's or DTSC's
26 representatives with respect to liability associated with Site
27 activities. Respondents shall save and hold harmless the United
28 States and its officials, agents, employees, contractors,
29 subcontractors, or representatives for or from any and all claims
30 or causes of action or other costs incurred by the United States
31 including but not limited to attorneys fees and other expenses of
32 litigation and settlement arising from or on account of acts or

omissions of Respondents, their officers, directors, employees, agents, contractors, subcontractors, and any persons acting on their behalf or under their control, in carrying out activities pursuant to this Order, including any claims arising from any designation of Respondents as EPA's authorized representatives under section 104(e) of CERCLA. Copies of such agreements or approvals shall be provided to EPA and DTSC prior to Respondents' initiation of field activities on the property for which such agreement or approval is applicable (RD-20). Respondents' best efforts shall include providing reasonable compensation to any off-site property owner. If access agreements are not obtained within the time referenced above, Respondents shall immediately notify EPA and DTSC of its failure to obtain access. Subject to the United States' non-reviewable discretion, EPA may use its legal authorities to obtain access for the Respondents, may perform those response actions with EPA contractors at the property in question, or may terminate the Order if Respondents cannot obtain access agreements. If EPA performs those tasks or activities with contractors and does not terminate the Order, Respondents shall perform all other activities not requiring access to that property, and shall reimburse EPA, pursuant to Section XXII of this Order, for all costs incurred in performing such activities. Respondents shall integrate the results of any such tasks undertaken by EPA into its reports and deliverables. Respondents shall reimburse EPA, pursuant to Section XXII of this Order, for all response costs (including attorney fees) incurred by the United States to obtain access for Respondents.

XVIII. SITE ACCESS AND DATA/DOCUMENT AVAILABILITY

64. Respondents shall allow EPA, DTSC, and their authorized representatives and contractors to enter and freely move about all property at the Site and off-site areas subject to or affected by the Work under this Order or where documents required to be prepared or maintained by this Order are located, for the purposes of inspecting conditions, activities, the results of

1 activities, records, operating logs, and contracts related to the
2 Site or Respondents and its representatives or contractors
3 pursuant to this Order; reviewing the progress of the Respondents
4 in carrying out the terms of this Order; conducting tests as EPA
5 or its authorized representatives or contractors deem necessary;
6 using a camera, sound recording device or other documentary type
7 equipment; and verifying the data submitted to EPA by
8 Respondents. Respondents shall allow EPA, DTSC, and their
9 authorized representatives to enter the Site, to inspect and copy
10 all records, files, photographs, documents, sampling and
11 monitoring data, and other writings related to work undertaken in
12 carrying out this Order. Nothing herein shall be interpreted as
13 limiting or affecting EPA's or DTSC's right of entry or
14 inspection authority under Federal or state law.

15 65. Respondents may assert a claim of business confidentiality
16 covering part or all of the information submitted to EPA pursuant
17 to the terms of this Order under 40 C.F.R. § 2.203, provided such
18 claim is not inconsistent with section 104(e)(7) of CERCLA, 42
19 U.S.C. § 9604(e)(7) or other provisions of law. This claim shall
20 be asserted in the manner described by 40 C.F.R. § 2.203(b) and
21 substantiated by Respondents at the time the claim is made.
22 Information determined to be confidential by EPA will be given
23 the protection specified in 40 C.F.R. Part 2. If no such claim
24 accompanies the information when it is submitted to EPA, it may
25 be made available to the public by EPA or DTSC without further
26 notice to the Respondents. Respondents shall not assert
27 confidentiality claims with respect to any data related to Site
28 conditions, sampling, or monitoring.

29 66. Respondents shall maintain for the period during which this
30 Order is in effect an index of documents that Respondents claim
31 contain confidential business information. The index shall
32 contain, for each document, the date, author, addressee, and

1 subject of the document. Upon written request from EPA,
2 Respondents shall submit a copy of the index to EPA.

3 XIX. RECORD PRESERVATION

4 67. Respondents shall provide to EPA upon request copies of all
5 documents and information within their possession and/or control
6 or that of their contractors or agents relating to activities at
7 the Site or to the implementation of this Order, including but
8 not limited to sampling, analysis, chain of custody records,
9 manifests, trucking logs, receipts, reports, sample traffic
10 routing, correspondence, or other documents or information
11 related to the Work. Respondents shall also make available to
12 EPA for purposes of investigation, information gathering, or
13 testimony, their employees, agents, or representatives with
14 knowledge of relevant facts concerning the performance of the
15 Work.

16 68. Until six (6) years after EPA provides notice pursuant to
17 paragraph 44 that all work required under this Order has been
18 completed, each Respondent shall preserve and retain all records
19 and documents in its possession or control, including the
20 documents in the possession or control of their contractors and
21 agents on and after the effective date of this Order that relate
22 in any manner to the Site. At the conclusion of this document
23 retention period, Respondents shall notify the United States and
24 DTSC at least ninety (90) calendar days prior to the destruction
25 of any such records or documents, and upon request by the United
26 States or DTSC, Respondents shall deliver any such records or
27 documents to EPA or DTSC.

28 69. Within forty-five (45) days after the effective date of this
29 Order, Respondents shall submit a written certification (RD-21)
30 to EPA and DTSC that they have not altered, mutilated, discarded,
31 destroyed or otherwise disposed of any records, documents or
32 other information relating to their potential liability with

1 regard to the Site since notification of potential liability by
2 the United States or the State or the filing of suit against it
3 regarding the Site. Respondents shall not dispose of any such
4 documents without prior approval by EPA. Respondents shall, upon
5 EPA's request and at no cost to EPA, deliver the documents or
6 copies of the documents to EPA.

7 XX. DELAY IN PERFORMANCE

8 70. Any delay in performance of this Order that, in EPA's
9 judgment, is not properly justified by Respondents under the
10 terms of this section shall be considered a violation of this
11 Order. Any delay in performance of this Order shall not affect
12 Respondents obligations to fully perform all obligations under
13 the terms and conditions of this Order.

14 71. Respondents shall notify EPA and DTSC of any delay or
15 anticipated delay in performing any requirement of this Order.
16 Such notification shall be made by telephone to EPA's RPM within
17 four (4) days after Respondents first know or should have known
18 that a delay might occur. Respondents shall adopt all reasonable
19 measures to avoid or minimize any such delay. Within five (5)
20 days after notifying EPA by telephone, Respondents shall provide
21 written notification to EPA and DTSC fully describing the nature
22 of the delay, any justification for delay, any reason why
23 Respondents should not be held strictly accountable for failing
24 to comply with any relevant requirements of this Order, the
25 measures planned and taken to minimize the delay, and a schedule
26 for implementing the measures that will be taken to mitigate the
27 effect of the delay. Increased costs or expenses associated with
28 implementation of the activities called for in this Order are not
29 a justification for any delay in performance.

1 XXI. ASSURANCE OF ABILITY TO COMPLETE WORK

2 72. Respondents shall demonstrate the ability to complete the
3 Work required by this Order and to pay all claims that arise from
4 the performance of the Work by obtaining and presenting to EPA
5 within thirty (30) days after approval of the RD Work Plan, one
6 of the following: (1) a performance bond; (2) a letter of credit;
7 (3) a guarantee by a third party; or (4) internal financial
8 information to allow EPA to determine that one or more of the
9 Respondents have sufficient assets available to perform the Work
10 (RD-22). Respondents shall demonstrate financial assurance in an
11 amount no less than one million dollars (\$1,000,000) for the
12 estimated cost of the Remedial Design and related field
13 activities. If Respondents seek to demonstrate ability to
14 complete the Work by means of internal financial information, or
15 by guarantee of a third party, they shall resubmit such
16 information or guarantee annually, on the effective date of this
17 Order, until the Work is completed. If EPA determines that such
18 financial information or guarantee is inadequate, Respondents
19 shall, within thirty (30) days after receipt of EPA's notice of
20 determination, obtain and present to EPA for approval one of the
21 other three forms of financial assurance listed above.

22 73. At least seven (7) days prior to commencing any work at the
23 Site pursuant to this Order, Respondents shall submit to EPA and
24 DTSC a certification that Respondents or their contractors and
25 subcontractors have adequate insurance coverage or have
26 indemnification for liabilities for injuries or damages to
27 persons or property which may result from the activities to be
28 conducted by or on behalf of Respondents pursuant to this Order
29 (RD-23). Respondents shall ensure that such insurance or
30 indemnification is maintained for the duration of the Work
31 required by this Order.

1 XXII. REIMBURSEMENT OF RESPONSE COSTS

2 74. Respondents shall reimburse EPA, upon written demand, for
3 all response costs incurred by the United States in overseeing
4 Respondents' implementation of the requirements of this Order or
5 in performing any response action which Respondents fail to
6 perform in compliance with this Order. EPA may submit to
7 Respondents on a periodic basis an accounting of all response
8 costs incurred by the United States with respect to this Order.
9 EPA's certified Agency Financial Management System summary data,
10 or such other summary as certified by EPA, shall serve as basis
11 for payment demands.

12 75. Respondents shall, within thirty (30) days of receipt of
13 each EPA accounting, remit a certified or cashier's check for the
14 amount of those costs. Interest shall accrue from the later of
15 the date that payment of a specified amount is demanded in
16 writing or the date of the expenditure. The interest rate is the
17 rate established by the Department of the Treasury pursuant to 31
18 U.S.C. § 3717 and 4 C.F.R. § 102.13.

19 76. Checks shall be made payable to the Hazardous Substances
20 Superfund and shall include the name of the Site, the Site
21 identification number, the account number and the title of this
22 Order. Checks shall be forwarded to:

23 U.S. Environmental Protection Agency - Region 9
24 ATTENTION: Superfund Accounting
25 PO Box 360863M
26 Pittsburgh, PA 15251

27 The Site identification number is "CAD980884357". The account
28 number is "9 C1".

29 77. Respondents shall send copies of each transmittal letter and
30 check to the EPA RPM.

1 XXIII. UNITED STATES NOT LIABLE

2 78. The United States, by issuance of this Order, assumes no
3 liability for any injuries or damages to persons or property
4 resulting from acts or omissions by Respondents, or their
5 directors, officers, employees, agents, representatives,
6 successors, assigns, contractors, or consultants in carrying out
7 any action or activity pursuant to this Order. Neither EPA, the
8 United States, the State, nor DTSC may be deemed to be a party to
9 any contract entered into by Respondents or their directors,
10 officers, employees, agents, successors, assigns, contractors, or
11 consultants in carrying out any action or activity pursuant to
12 this Order.

13 XXIV. ENFORCEMENT AND RESERVATIONS

14 79. EPA reserves the right to bring an action against
15 Respondents under section 107 of CERCLA, 42 U.S.C. § 9607, for
16 recovery of any response costs incurred by the United States
17 related to this Order and not reimbursed by Respondents. This
18 reservation shall include but not be limited to past costs,
19 direct costs, indirect costs, the costs of oversight, the costs
20 of compiling the cost documentation to support oversight cost
21 demand, as well as accrued interest as provided in section 107(a)
22 of CERCLA.

23 80. Notwithstanding any other provision of this Order, at any
24 time during the response action, EPA may perform its own studies,
25 complete the response action (or any portion of the response
26 action) as provided in CERCLA and the NCP, and seek reimbursement
27 from Respondents for its costs, or seek any other appropriate
28 relief.

29 81. Nothing in this Order shall preclude EPA from taking any
30 additional enforcement actions, including modification of this
31 Order or issuance of additional Orders, and/or additional
32 remedial or removal actions as EPA may deem necessary, or from

1 requiring Respondents in the future to perform additional
2 activities pursuant to CERCLA, 42 U.S.C. § 9606(a), et seq., or
3 any other applicable law. Respondents shall be liable under
4 CERCLA section 107(a), 42 U.S.C. § 9607(a), for the costs of any
5 such additional actions.

6 82. Notwithstanding any provision of this Order, the United
7 States hereby retains all of its information gathering,
8 inspection and enforcement authorities and rights under CERCLA,
9 RCRA and any other applicable statutes or regulations.

10 83. Each Respondent shall be subject to civil penalties under
11 section 106(b) of CERCLA, 42 U.S.C. § 9606(b), of not more than
12 \$25,000 for each day in which such Respondent willfully violates,
13 or fails or refuses to comply with this Order without sufficient
14 cause. In addition, failure to properly provide response action
15 under this Order, or any portion hereof, without sufficient
16 cause, may result in liability under section 107(c)(3) of CERCLA,
17 42 U.S.C. § 9607(c)(3), for punitive damages in an amount at
18 least equal to, and not more than three times the amount of, any
19 costs incurred by the Fund as a result of such failure to take
20 proper action.

21 84. Nothing in this Order shall constitute or be construed as a
22 release from any claim, cause of action or demand in law or
23 equity against any person for any liability it may have arising
24 out of or relating in any way to the Site.

25 85. If a court issues an order that invalidates any provision of
26 this Order or finds that Respondents have sufficient cause not to
27 comply with one or more provisions of this Order, Respondents
28 shall remain bound to comply with all provisions of this Order
29 not invalidated by the court's order.

1 XXV. ADMINISTRATIVE RECORD

2 86. Upon request by EPA, Respondents must submit to EPA all
3 documents related to the work under this Order for possible
4 inclusion in the administrative record file.

5 XXVI. EFFECTIVE DATE AND COMPUTATION OF TIME

6 87. This Order shall be effective twelve (12) days after the
7 Order is signed by the Director of the Hazardous Waste Management
8 Division, US EPA Region 9. All times for performance of ordered
9 activities shall be calculated from this effective date.

10 XXVII. OPPORTUNITY TO CONFER

11 88. Respondents may, within seven (7) days after the date this
12 Order is signed, request a conference with EPA's RPM and
13 Assistant Regional Counsel to discuss the provisions of this
14 Order. If requested, the conference shall occur at a date and
15 time to be determined by EPA.

16 89. The purpose and scope of the conference shall be limited to
17 issues involving the implementation of the response actions
18 required by this Order and the extent to which Respondents intend
19 to comply with this Order. This conference is not an evidentiary
20 hearing, and does not constitute a proceeding to challenge this
21 Order. It does not give Respondents a right to seek review of
22 this Order, or to seek resolution of potential liability, and no
23 official stenographic record of the conference will be made. At
24 any conference held pursuant to Respondents' request, Respondents
25 may appear in person or by an attorney or other representative.

1 90. Requests for a conference must be by telephone followed by
2 written confirmation mailed that day to EPA's Remedial Project
3 Manager, Rusty Harris-Bishop, (415) 744-2365, US EPA Region 9, 75
4 Hawthorne Street (H-7-2), San Francisco, CA 94105.

5 So Ordered, this 18th day of August, 1994.

6 BY:

Keith Takat

7 Jeff Zelikson

8 ~~for~~ Director, Hazardous Waste Management Division
9 U.S. Environmental Protection Agency, Region 9

ATTACHMENT 1

WASTE DISPOSAL, INC.

SOIL AND SUBSURFACE GAS OPERABLE UNIT

. RECORD OF DECISION

ATTACHMENT 2

**SCOPE OF WORK
FOR REMEDIAL DESIGN**

**SCOPE OF WORK,
FOR THE WASTE DISPOSAL, INC. SUPERFUND SITE
SOIL AND SUBSURFACE GAS OPERABLE UNIT**

SANTA FE SPRINGS, CALIFORNIA

TABLE OF CONTENTS

I. INTRODUCTION	1
II. OVERVIEW OF THE REMEDY	1
III. REMEDY COMPONENTS	1
A. Contaminated Soil	1
1. Major Components	1
2. Performance Standards	2
a. Excavation Standards	
b. Impermeability	
B. Subsurface Gas	3
1. Major Components	
2. Analysis of Subsurface Gases	3
3. Subsurface Gas and Emissions Monitoring	3
C. Groundwater Monitoring	4
IV. PLANNING AND DELIVERABLES	4
TASK 1 - PROJECT PLANNING	4
A. Site Background	4
1. Existing Data and Additional Data Requirements	4
2. Conduct Site Visit	5
B. Project Planning	5
TASK 2 - REMEDIAL DESIGN	5
A. Remedial Design Planning	5
1. RD Work Plan	6
2. Sampling and Analysis Plan	7
3. Health and Safety Plan	8
4. Community Involvement	8
5. Future Use	8
B. Preliminary Design (RD-16)	9
1. Report of Data Acquisition Activities	9
2. Design Criteria Report	9
3. Preliminary Plans and Specifications	9
4. Strategy for Satisfying Permitting Requirements	10

TABLE OF CONTENTS (continued)

C. Intermediate Design (RD-17)	10
1. Draft Design Analyses	10
2. Draft Plans and Specificatio	11
3. Draft Construction Schedule	11
D. Prefinal/Final Design (RD-18/RD-19)	11
1. Complete Design Analyses	11
2. Complete Plans and Specifications	11
3. Final Construction Schedule	11
REFERENCES	12
SUMMARY OF THE MAJOR DELIVERABLES	14

I. INTRODUCTION

The following Scope of Work (SOW) outlines the work to be performed by Respondents for the Soil and Subsurface Gas Operable Unit (OU) at the Waste Disposal, Inc. (WDI) Superfund Site in Santa Fe Springs, Los Angeles County, California ("the Site"). The work outlined is intended to design the remedy as described in the Record of Decision (ROD), dated December 27, 1993, and plan for the implementation of the ROD in order to achieve the cleanup levels and other Performance Standards set forth in the ROD, Administrative Order, and this SOW. It is not the intent of this document to provide task specific engineering or geological guidance. The requirements of this SOW will be further detailed in work plans and other plans to be submitted by the Respondents for approval as set forth in the Administrative Order and this SOW.

II. OVERVIEW OF THE REMEDY

THE OBJECTIVES OF THE REMEDY ARE TO:

- Eliminate or reduce the risks to human health associated with direct contact with hazardous substances, pollutants, or contaminants within the Site;
- Eliminate or minimize the threat posed to human health and the environment from current and potential migration of hazardous substances in the groundwater and subsurface and surface soil and rock at the Site;
- Eliminate or reduce the risks to human health from inhalation of hazardous substances, pollutants or contaminants from the Site; and
- Reduce the volume, toxicity, and mobility of hazardous substance, pollutants, or contaminants at the Site.

III. REMEDY COMPONENTS

A. Contaminated Soil

1. Major Components

The major components of the contaminated soil portion of the remedy include:

- Excavation of contaminated sump materials in Areas 4 and 7 of the Site, and Toxo Spray Dust area;
- Consolidation of excavated materials under existing clean-fill soil cover of site;
- Backfilling excavated areas with clean fill;

- Re-grading Site to allow for capping and uniform drainage during rain events; and
- Capping Area 2, including Reservoir Area, with impermeable cap.

2. Performance Standards

The Remedial Design shall be prepared so that the Remedial Action will meet all Performance Standards, as defined in Section VI of the Administrative Order, including, but not limited to, the following:

a. Excavation Standards

Soils, sludges, and related sump materials shall be excavated in a controlled manner at Areas 4 and 7 of the WDI Site and consolidated under the existing soil cap located on Area 2, above the Reservoir. Dust suppression techniques shall be employed, to the greatest extent possible, to prevent dust and debris from leaving the Site. Excavation shall remove the extent of the sumps, with the remaining soil and material having the following maximum contaminant concentration levels. Testing methods approved by EPA shall be used to determine if the maximum contaminant concentration levels have been achieved:

Arsenic	10.0 mg/kg
Beryllium	0.41 mg/kg
Chromium	44 mg/kg
Cadmium	39 mg/kg
Lead	500 mg/kg
Thallium	12.0 mg/kg
Benzene	2.7 mg/kg
Dieldrin	0.11 mg/kg
DDT, DDE, DDD	5 mg/kg
cPAHs	0.23 mg/kg
PCBs	0.22 mg/kg

b. Impermeability

The multi-layered cap to be placed over Area 2 and the Reservoir Area shall meet a permeability standard of 10^{-7} cm/sec. The surface configuration of the installed cap shall be determined during the Remedial Design; however, anticipated future use of the Site includes both recreational and limited storage activities.

B. Subsurface Gas

1. Major Components

The major components of the subsurface gas remedial design include:

- Sampling and analysis of composition and volume of subsurface gases at the Site;
- Installation of venting system to remove gases from beneath cap, actively or passively, in order to prevent buildup of gases under the cap or migration of gases out from beneath the cap; and
- Treatment of vented gases by flaring, if necessary to comply with air emissions requirements, and treatment of flaring emissions if required.

2. Analysis of Subsurface Gases

Respondents shall perform sampling to determine composition of subsurface gases present at the Site. In addition, flux measurements shall be made to determine the volume and composition of gases permeating the existing cover on the site. An analysis will be made to determine the rate of generation of gases beneath the proposed cap and an estimated volume, as well as a determination of a suitable method for venting. If required, vented gases will be treated by flaring. The flare emissions will also be treated if necessary in order to comply with all air quality standards for the area.

3. Subsurface Gas and Emissions Monitoring

Subsurface gas monitoring shall be conducted to ensure that gases are not migrating off site. If treatment by flaring is necessary for the gases, the emissions from the flaring system will also be monitored to ensure compliance with applicable emissions requirements for the area.

C. Groundwater Monitoring

Respondents shall conduct periodic monitoring of groundwater, with appropriate analysis to determine the quality of the existing groundwater. Monitoring shall begin prior to the Remedial Design and continue throughout the Remedial Action and the Operation and Maintenance phase of the project. An analysis shall be made to determine the effect of the Remedial Action on the quality of the groundwater.

IV. PLANNING AND DELIVERABLES

The specific scope of this work shall be documented by Respondents in a Remedial Design (RD) Work Plan. Plans, specifications, submittals, and other deliverables shall be subject to EPA review in accordance with Section XII of the Administrative Order. Reports and documents submitted to EPA shall be printed on recycled paper (at least 25% post-consumer content), double-sided, and contained in 3-ring binders so that pages are easily updated and replaced. Documents requiring modifications or updates will have only those changed pages resubmitted. Drawings shall be folded to 8.5" x 11" so that they fit inside file folders and binders. Selected submittals shall also be provided in electronic format, compatible with WordPerfect 5.1 for Windows.

Routine correspondence with EPA, including Progress Reports, shall utilize electronic mail services to the greatest extent possible. The electronic mail address for the EPA Project Manager is "harris-bishop.rusty.@epamail.epa.gov".

Respondents shall submit a technical memorandum documenting any need for additional data along with the proposed Data Quality Objectives (DQOs) whenever such requirements are identified. Respondents are responsible for fulfilling additional data and analysis needs identified by EPA during the RD consistent with the general scope and objectives of the Administrative Order, including this SOW. Respondents shall perform the following tasks:

TASK 1 - PROJECT PLANNING

A. Site Background

Respondents shall gather and analyze the existing information regarding the Site and shall conduct a visit to the Site to assist in planning the RD as follows:

1. Existing Data and Additional Data Requirements

Before planning RD activities, all existing Site data shall be thoroughly compiled and reviewed by Respondents. Specifically, this shall include the ROD, RI/FS, and other available data related to the Site. This information shall be utilized by Respondents in formulating recommendations for additional data needed for RD implementation. Final decisions on the necessary data and DQOs shall be made by EPA.

2. Conduct Site Visit

Respondents shall conduct a visit to the Site with the EPA Remedial Project Manager (RPM) during the project planning phase to assist in developing a conceptual understanding of the RD requirements for the Site. Information gathered during this visit shall be utilized by Respondents to plan the project and determine the extent of the additional data necessary to implement the RD. Respondents shall submit recommendations for additional data to EPA for approval (RD-10, Data Acquisition and Management Plan).

B. Project Planning

Once Respondents have collected and analyzed existing data and conducted a visit to the Site, the specific project scope shall be planned. Respondents shall meet with EPA regarding the following activities and before proceeding with Task 2.

As part of EPA's Superfund Innovative Technology Evaluation (SITE) Program, two innovative technologies may be evaluated at WDI during the RD/RA. Activities will be coordinated with Respondents for inclusion into the project planning process. A Treatability Study Work Plan (RD-9) may be required based on results of the SITE Program analyses.

TASK 2 - REMEDIAL DESIGN

The Remedial Design shall provide the technical details for implementation of the Remedial Action in accordance with currently accepted environmental protection technologies and standard professional engineering and construction practices. The design shall include clear and comprehensive design plans and specifications.

A. Remedial Design Planning

At the conclusion of the project planning phase, Respondents shall submit to EPA an RD Work Plan (RD-5), a Sampling and Analysis Plan (SAP) (RD-6), and a Health and Safety Plan (HASP) (RD-11). All plans must be reviewed by EPA prior to the initiation of field activities, with approval given for the RD Work Plan and the SAP; EPA will provide comments to the HASP.

Upon approval of the RD Work Plan, Respondents shall implement the RD Work Plan in accordance with the design management schedule contained therein. Plans, specifications, submittals, and other deliverables shall be subject to EPA review and approval in accordance with Section XII of the Administrative Order. Review and/or approval of design submittals only allows Respondents to proceed to the next step of the design process. It does not imply acceptance of later design submittals that have not been reviewed, nor that the remedy, when constructed, will meet Performance Standards.

1. RD Work Plan (RD-5)

Respondents shall submit a Remedial Design (RD) work plan to EPA for review and approval. The Work Plan shall be developed in conjunction with the Sampling and Analysis Plan, the Health and Safety Plan, and the Treatability Study Work Plan, although each plan may be delivered under separate cover. The Work Plan shall include a comprehensive description and itemization of the additional data collection and evaluation activities to be performed and the plans and specifications to be prepared. A comprehensive design management schedule for completion of each major activity and submission of each deliverable shall also be included.

Specifically, the Work Plan shall present the following:

- a. A background summary setting forth the following:
 - 1) A description of the Site including the geographic location and the physiographic, hydrologic, geologic, demographic, ecological, and natural resource features;
 - 2) A synopsis of the history of the Site including a summary of past disposal practices and a description of previous responses that have been conducted by local, State, Federal, or private parties;
 - 3) A summary of the existing data including physical and chemical characteristics of the contaminants identified and their distribution among the environmental media at the Site.
- b. A statement of the problem(s) and potential problem(s) posed by the Site and the objectives of the Remedial Design and Remedial Action.
- c. A detailed description of the subtasks to be performed, information needed for each subtask, information to be produced during and at the conclusion of each subtask, and a description of the work products that shall be submitted to EPA. This description shall include the deliverables set forth in the remainder of Task 2.
- d. A schedule for completion of each required activity and submission of each deliverable required by the Administrative Order and this SOW. This schedule shall also include information regarding timing, initiation, and completion of all critical path milestones for each activity or deliverable.
- e. A project management plan, including a data acquisition and management plan (**RD-10**), and provision for progress reports to EPA and meetings and presentations to EPA at the conclusion of each major phase of the RD. The data acquisition and management plan shall address the requirements for project management systems, including tracking, sorting, and retrieving the data along with an identification of the software to be used, minimum data requirements, data format, and backup data management. The plan shall address both data management and document control for all activities conducted during the remedial design.
- f. A description of the community relations support activities to be conducted during the RD. At EPA's request, Respondents will assist EPA in preparing and disseminating information to the public regarding the RD work to be performed.

2. Sampling and Analysis Plan (RD-6)

Respondents shall prepare a Sampling and Analysis Plan (SAP) (RD-6) to ensure that sample collection and analytical activities are conducted in accordance with technically acceptable protocols and that the data generated will meet the DQOs established. The SAP shall include a Field Sampling and Analysis Plan (FSAP) and a Quality Assurance Project Plan (QAPP).

The FSAP shall define in detail the sampling and data-gathering methods that shall be used on the project. It shall include sampling objectives, sample location (horizontal and vertical) and frequency, sampling equipment and procedures, and sample handling and analysis. The FSAP shall be written so that a field sampling team unfamiliar with the Site would be able to gather the required samples and field information. The QAPP shall describe the project objectives and organization, functional activities, and quality assurance and quality control (QA/QC) protocols that shall be used to achieve the desired DQOs. The DQOs shall, at a minimum, reflect use of analytical methods for obtaining data of sufficient quality to meet National Contingency Plan requirements as identified at 300.435 (b). In addition, the QAPP shall address personnel qualifications, sampling procedures, sample custody, analytical procedures, and data reduction, validation, and reporting. These procedures must be consistent with the Region 9 Engineering Support Branch Standard Operating Procedures and Quality Assurance Manual and the guidance specified in Section XIV of the Administrative Order.

Respondents shall demonstrate in advance and to the satisfaction of EPA that each laboratory it may use is qualified to conduct the proposed work and meets the requirements specified in Section XIV of the Administrative Order. EPA may require that Respondents submit detailed information to demonstrate that the laboratory is qualified to conduct the work, including information on personnel qualifications, equipment and material specification, and laboratory analyses of performance samples (blank and/or spike samples).

3. Health and Safety Plan (RD-11)

A Site Health and Safety Plan shall be prepared in conformance with Respondents' health and safety program and in compliance with OSHA regulations and protocols. The Health and Safety Plan shall include a health and safety risk analysis, a description of monitoring and personal protective equipment, medical monitoring, and provisions for site control. EPA will not approve Respondents' Health and Safety Plan, but rather EPA will review it to ensure that all necessary elements are included and that the plan provides for the protection of human health and the environment.

4. Community Involvement

EPA has committed to increased community involvement during the Remedial Design for the WDI Site. This will include a Public Meeting prior to the initiation of any RD activities, and additional Public Meetings as necessary during the RD, but presumably at the 30, 60, and 90 percent completion stages. Respondents will cooperate with EPA to determine the content of Meetings, as well as scope, frequency, and number, based on community input.

5. Future Use

While the future use of the Site has not been determined, it is anticipated that the Site will be a mixture of light industrial, storage, and recreational uses. Since the cap may be landscaped for recreational use, this should be considered during design planning. Final designation for the Site will be determined with input from the City of Santa Fe Springs, the community, and EPA.

B. Preliminary Design (RD-16)

Preliminary Design shall begin with initial design and end with the completion of approximately 30 percent of the design effort (that is, 30% of the design is 100% complete, not 100% of the drawings are each 30% complete). Preliminary Design shall include field verification of Site conditions. The technical requirements of the Remedial Action shall be addressed and outlined so that they may be reviewed to determine if the final design will provide an effective remedy. Supporting data and documentation shall be provided with the design documents defining the functional aspects of the project. EPA approval of the Preliminary Design is required before proceeding with further design work, unless specifically authorized by EPA. In accordance with the design management schedule established in the Remedial Design Work Plan, Respondents shall submit to EPA the Preliminary Design submittal which shall consist of the following:

1. Report of Data Acquisition Activities

Data gathered during the project planning phase shall be compiled, summarized, and submitted along with an analysis of the effect of the results on design activities. In addition, surveys conducted to establish topography, rights-of-way, easements, and utility lines shall be documented. Utility requirements and acquisition of access, through purchases or easements, that are necessary to implement the RA shall also be discussed.

2. Design Criteria Report

The concepts supporting the technical aspects of the design shall be defined in detail and presented in this report. Specifically, the Design Criteria Report shall include the preliminary design assumptions and parameters, including:

- a. Waste characterization**
- b. Pretreatment requirements**
- c. Volume of each media requiring treatment**
- d. Treatment schemes (including all media and by-products)**
- e. Input/output rates**
- f. Influent and effluent qualities**
- g. Materials and equipment**
- h. Performance Standards**
- i. Long-term monitoring requirements**

3. Preliminary Plans and Specifications

Respondents shall submit an outline of the required drawings, including preliminary sketches and layouts, describing conceptual aspects of the design, unit processes, etc. In addition, an list of the required specifications and a table of contents of each specification, including Performance Standards, shall be submitted. Construction drawings shall reflect organization and clarity, and the scope of the technical specifications shall be outlined in a manner reflecting the final specifications. It is important at this stage of the process that EPA is satisfied that the concept of the design, that is, the ROD criteria and ARARs, is understood and is being correctly translated into engineering parameters.

4. Strategy for Satisfying Permitting Requirements

All activities must be performed in accordance with the requirements of all federal and state laws and regulations. Any off-site disposal shall be in compliance with the policies stated in the Procedure for Planning and Implementing Off-site Response Actions (Federal Register, Volume 50, Number 214, November, 1985, pages 45933 - 45937) and Federal Register, Volume 55, Number 46, March 8, 1990, page 8840, and the National Contingency Plan, Section 300.400. The strategy shall identify the off-site disposal/discharge permits that are required, the time required to process the permit applications, and a schedule for submittal of the permit applications. The final design plans and specifications must be consistent with the technical requirements of all applicable or relevant and appropriate federal and state environmental regulations unless a waiver has been issued.

C. Intermediate Design (RD-17)

Intermediate Design shall begin with completion of the Preliminary Design and end with the completion of approximately 60 percent of the design effort. Respondents shall submit to EPA the Intermediate Design submittal which shall consist of a continuation and expansion of the Preliminary Design submittal as may be modified by any value engineering recommendations adopted by Respondents. A value engineering analysis is not required by EPA, and will be conducted only at Respondents' discretion. Any value engineering recommendations adopted by Respondents shall be summarized in a report submitted with the Intermediate Design. EPA comments on the Intermediate Design shall be reflected in the Prefinal/Final Design. The Intermediate Design submittal shall be submitted in accordance with the approved design management schedule and shall consist of the following:

1. Draft Design Analyses

The evaluations conducted to select the design approach shall be described. Design calculations shall be included.

2. Draft Plans and Specifications

Draft construction drawings and specifications for all components of the Remedial Action shall be prepared and presented.

3. Draft Construction Schedule

Respondents shall develop a Draft Construction Schedule for construction and implementation of the remedial action which identifies timing for initiation and completion of all critical path tasks. Respondents shall identify potential dates for completion of the project and major milestones.

D. Prefinal/Final Design (RD-18/RD-19)

Respondents shall submit the Prefinal Design (**RD-18**) when the design work is approximately 90 percent complete in accordance with the approved design management schedule. Respondents shall address comments generated from the Intermediate Design Review and clearly show any modification of the design as a result of incorporation of the comments. Essentially, the Prefinal Design shall function as the draft version of the Final Design. After EPA review and comment on the Prefinal Design, the Final Design (**RD-19**) shall be submitted. All Final Design documents shall be stamped and signed by Professional Engineers registered in the State of California for the appropriate discipline involved (e.g., Electrical Engineer for electrical designs, Mechanical Engineer for piping designs, etc.). The following items shall be submitted as part of the Prefinal/Final Design:

1. Complete Design Analyses

The selected design shall be presented along with an analysis supporting the design approach. Design calculations shall be included.

2. Complete Plans and Specifications

A complete set of construction drawings and specifications shall be submitted which describe the selected design. Drawings will be folded 8.5" x 11" size. Specifications shall be submitted in electronic form, and on recycled paper (50% post-consumer), printed double-sided.

3. Final Construction Schedule

Respondents shall submit a final construction schedule to EPA for approval.

REFERENCES

The following list, although not comprehensive, comprises many of the regulations and guidance documents that apply to the RD process. Respondents shall review these documents and use the information provided therein in performing the RD and preparing all deliverables under this SOW.

1. "National Oil and Hazardous Substances Pollution Contingency Plan, Final Rule", Federal Register 40 CFR Part 300, March 8, 1990.
2. "Superfund Remedial Design and Remedial Action Guidance," U.S. EPA, Office of Emergency and Remedial Response, June 1986, OSWER Directive No. 9355.O-4A.
3. "Interim Final Guidance on Oversight of Remedial Designs and Remedial Actions Performed by Potentially Responsible Parties," U.S. EPA, Office of Emergency and Remedial Response, February 14, 1990, OSWER Directive No. 9355.5-01.
4. "Guidance for Conducting Remedial Investigations and Feasibility Studies Under CERCLA, Interim Final," U.S. EPA, Office of Emergency and Remedial Response, October 1988, OSWER Directive No. 9355.3-01.
5. "A Compendium of Superfund Field Operations Methods," Two Volumes, U.S. EPA, Office of Emergency and Remedial Response, EPA/540/P-87/001a, August 1987, OSWER Directive No. 9355.O-14.
6. "EPA NEIC Policies and Procedures Manual," EPA-330/9-78-001-R, May 1978, revised August 1991.
7. "Guidance for Planning for Data Collection in Support of Environmental Decision Making Using the Data Quality Objectives Process", EPA QA/G-4, Quality Assurance Management Staff, Interim Final, October 6, 1993
8. "Guidelines and Specifications for Preparing Quality Assurance Program Plans," U.S. EPA, Office of Research and Development, Cincinnati, OH, QAMS-004/80, 1983.
9. "Interim Guidelines and Specifications for Preparing Quality Assurance Project Plans," U.S. EPA, Office of Emergency and Remedial Response, QAMS-005/80, December 1980.
10. "Users Guide to the EPA Contract Laboratory Program," U.S. EPA, Sample Management Office, August 1982.
11. "US EPA Region 9 Guidance for Preparing Quality Assurance Project Plans for Superfund Remedial Projects", Document Control No. 9QA-03-89, Quality Assurance Management Section, Environmental Services Branch, US EPA Region 9, September 1989
12. "US EPA Contract Laboratory Program Statement of Work for Organics Analysis," U.S. EPA, Office of Emergency and Remedial Response, February 1988.

13. "US EPA Contract Laboratory Program Statement of Work for Inorganics Analysis," U.S. EPA, Office of Emergency and Remedial Response, July 1988.
14. "Quality in the Constructed Project: A Guideline for Owners, Designers, and Constructors, Volume 1, Preliminary Edition for Trial Use and Comment," American Society of Civil Engineers, May 1988.
15. "Interim Guidance on Compliance with Applicable or Relevant and Appropriate Requirements," U.S. EPA, Office of Emergency and Remedial Response, July 9, 1987, OSWER Directive No. 9234.0-05.
16. "CERCLA Compliance with Other Laws Manual," Two Volumes, U.S. EPA, Office of Emergency and Remedial Response, August 1988 (Draft), OSWER Directive No. 9234.1-01 and -02.
17. "Preparation of a US EPA Region 9 Field Sampling Plan for Private and State Lead Superfund Projects", Document Control No. 9QA-06-93, August 1993, Quality Assurance Management Section, U.S. EPA Region 9
18. "Health and Safety Requirements of Employees Employed in Field Activities," U.S. EPA, Office of Emergency and Remedial Response, July 12, 1981, EPA Order No. 1440.2.
19. "Standard Operating Safety Guides," U.S. EPA, Office of Emergency and Remedial Response, November 1984.
20. "Standards for General Industry," 29 CFR Part 1910, Occupational Health and Safety Administration.
21. "Standards for the Construction Industry," 29 CFR 1926, Occupational Health and Safety Administration.
22. "NIOSH Manual of Analytical Methods," 2d edition. Volumes I - VII, or the 3rd edition, Volumes I and II, National Institute of Occupational Safety and Health.
23. "Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities," National Institute of Occupational Safety and Health/Occupational Health and Safety Administration/United States Coast Guard/Environmental Protection Agency, October 1985.
24. "TLVs - Threshold Limit Values and Biological Exposure Indices for 1987 - 88," American Conference of Governmental Industrial Hygienists.
25. "American National Standards Practices for Respiratory Protection," American National Standards Institute Z88.2-1980, March 11, 1981.
26. "Quality Assurance and Quality Control for Waste Containment Facilities", EPA 600/R-93/182, September 1993

**SUMMARY OF THE MAJOR DELIVERABLES FOR
THE REMEDIAL DESIGN AT THE
WASTE DISPOSAL, INC. SUPERFUND SITE
SOIL AND SUBSURFACE GAS OPERABLE UNIT**

<u>DELIVERABLE</u>	<u>NUMBER</u>	<u>EPA RESPONSE</u>
TASK I PROJECT PLANNING		
Sampling and Analysis Plan	RD-6	Review and Approve
Health and Safety Plan	RD-11	Review and Comment
TASK II REMEDIAL DESIGN		
RD Workplan	RD-5	Review and Approve
Preliminary Design	RD-16	
Report of Acquisition Activities		Review and Approve
Design Criteria Report		Review and Approve
Preliminary Plans and Specifications		Review and Comment
Strategy for Satisfying Permit Requirements		Review and Approve
Intermediate Design	RD-17	
Draft Design Analyses		Review and Comment
Draft Plans and Specifications		Review and Comment
Draft Construction Schedule		Review and Comment
Prefinal/Final Design	RD-18/19	
Complete Design Analyses		Review and Approve
Complete Plans and Specifications		Review and Approve
Final Construction Schedule		Review and Approve

ATTACHMENT 3

Schedule and List of Deliverables

The following is a list of deliverables and dates due to EPA, in accordance with the Order. This list is not complete, and additional documents may be required based on field activities at the Site. EPA may extend the due date for a given document without amending the Order.

<u>Number</u>	<u>Deliverable</u>	<u>Date Due</u>
RD-1	Notice of Intent to Comply	5 days after effective date of Order
RD-2	Selection of Design Contractor	15 days after effective date of Order
RD-3	Qualification of selected Design Contractor	15 days after effective date of Order
RD-4	PRP Project Coordinator	15 days after effective date of Order
RD-5	Remedial Design Work Plan	30 days after EPA approval of Design Contractor
RD-6	Sampling and Analysis Plan	30 days after EPA approval of Design Contractor
RD-7	Contingency Plan	30 days after EPA approval of Design Contractor
RD-8	Construction Quality Assurance Plan	30 days after EPA approval of Design Contractor
RD-9	Treatability Study Work Plan	30 days after EPA approval of Design Contractor
RD-10	Data Acquisition and Management Plan	30 days after EPA approval of Design Contractor
RD-11	Site Health and Safety Plan	30 days after EPA approval of Design Contractor
RD-16	Preliminary Design	Based on approved RD Work Plan schedule
RD-17	Intermediate Design	Based on approved RD Work Plan schedule
RD-18	Pre-final Design	Based on approved RD Work Plan schedule

<u>Number</u>	<u>Deliverable</u>	<u>Date Due</u>
RD-19	Final Design	Based on approved RD Work Plan schedule
RD-20	Site Access Agreements	60 days after effective date of Order
RD-21	Records Preservation Notice	45 days after effective date of Order
RD-22	Financial Assurance	30 days after approval of RD Work Plan
RD-23	Design Contractor Insurance or Indemnification	7 days prior to initiation of field activities

ATTACHMENT 4

DOCUMENTS RELATED TO EPA'S FINDING THAT CERTAIN RESPONDENTS ARRANGED FOR THE DISPOSAL OR TREATMENT OF HAZARDOUS SUBSTANCES AT THE SITE OWNED OR POSSESSED BY RESPONDENTS

1. Request for Hearing [Permit Application] submitted by "The Dumps" to Regional Planning Commission, County of Los Angeles, and received by Commission on August 4, 1949.
2. Letter from Office of Board of Supervisors, County of Los Angeles, to A.H. Adams, Regional Planning Commission, dated November 15, 1949.
3. Request for Hearing [permit application] submitted by D.L. Carter, N.B. Hudson, Marvin Pitts, and F. Caneer to Regional Planning Commission, County of Los Angeles, and dated April 21, 1953.
4. Letter from Waste Disposal, Inc. (by F. Caneer), to William Fox, County Engineer (Attn: John Parton, Industrial Waste Division), dated July 16, 1953.
5. Letter from William Fox, County Engineer and Surveyor (by R.L. Gregory, Chief Deputy), to Waste Disposal, Inc. (attn: F. Caneer), dated August 5, 1953.
6. Request for Hearing [Permit Application], from Waste Disposal, Inc., to Regional Planning Commission, County of Los Angeles, dated January 28, 1955.
7. Dump Inspection Report from County of Los Angeles, Department of County Engineer, Industrial Waste Division (by J.B. Grancich), dated July 29, 1958.
8. Service orders, purchase orders, and invoices from the Texas Company, the Chanslor-Canfield Midway Oil Company, the General Petroleum Corporation and the Ford Alexander Corporation from January 10, 1944 through December 10, 1945.
9. Documents related to operations of the Santa Fe Springs Waste Water Disposal Company.